



# Child Protection and Safeguarding Policy

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## Terminology

The term “Institute” is used throughout. The nature of INSTITUTE as defined by The Rugby Institute is made clear in the published *Visions, Aims, Values and Standards Documentation* available on request. This will also be reflected consistently and coherently in The Rugby Institute mission statement as a trading name of ADC Ltd.


The term “directors” are used throughout.

Signed: \_\_\_\_\_ 

Darren Clarke - Director

Signed: \_\_\_\_\_ 

Davy McGregor -Director & DSL

Signed: \_\_\_\_\_ 

Simon Clarke - Director

Date of last update: 04 July 2023

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## Statement of intent

The Rugby Institute is committed to safeguarding and promoting the physical, mental and emotional welfare of every young person, both inside and outside of the INSTITUTE premises. We implement a whole-INSTITUTE preventative approach to managing safeguarding concerns, ensuring that the wellbeing of young people is at the forefront of all action taken.

This policy sets out a clear and consistent framework for delivering this promise, in line with safeguarding legislation and statutory guidance. It will be achieved by:

- Ensuring that members of management, the directors and colleagues understand their responsibilities under safeguarding legislation and statutory guidance, are alert to the signs of child abuse, and know to refer concerns to the DSL.
- Teaching young people how to keep safe and recognise behaviour that is unacceptable.
- Identifying any young person that has been subject to, or is at risk of, abuse, neglect, or exploitation.
- Creating a culture of safer recruitment by adopting procedures that help deter, reject or identify people who might pose a risk to children.
- Ensuring that the directors and any new colleagues and volunteers are only appointed when all the appropriate checks have been satisfactorily completed.

The Designated Senior Lead (DSL) for child protection is Davy McGregor

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### **i. Disclosure**

Staff are reminded that children are not always ready or able to talk about their experiences of abuse and/or may not always recognise that they are being abused.

## Acronyms

This policy contains a number of acronyms used in the Education & Health sector. These acronyms are listed below alongside their descriptions.

Acronym	Long form	Description
CCE	Child criminal exploitation	A form of abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into taking part in criminal activity in exchange for something the victim needs or wants, for the financial advantage or other advantage of the perpetrator or facilitator, and/or through violence or the threat of violence.
CSCS	Children's social care services	The branch of the local authority that deals with children's social care.
CSE	Child sexual exploitation	A form of sexual abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity in exchange for something the victim needs or wants, for the financial advantage, increased status or other advantage of the perpetrator or facilitator, and/or through violence or the threat of violence.
DBS	Disclosure and barring service	The service that performs the statutory check of criminal records for anyone working or volunteering in a INSTITUTE.
DfE	Department for Education	The national government body with responsibility for children's services, policy and education, including early years, INSTITUTES, higher and further education policy, Instituteprenticeships and wider skills in England.
DPO	Data protection officer	The Institutepointed person in INSTITUTE with responsibility for overseeing data protection strategy and implementation to ensure compliance with the UK GDPR and Data Protection Act.
DSL	Designated safeguarding lead	A member of the senior leadership team who has lead responsibility for safeguarding and child protection throughout the INSTITUTE.
EEA	European Economic Area	The Member States of the European Union (EU) and three countries of the European Free Trade Association (EFTA) (Iceland, Liechtenstein and Norway; excluding Switzerland).
EHC plan	Education, health and care plan	A funded intervention plan which coordinates the educational, health and care needs for young persons who have significant needs that impact on their learning and access to education. The plan identifies any additional support needs or interventions and the intended impact they will have for the young person.

ESFA	Education and Skills Funding Agency	An agency sponsored by the Department for Education with accountability for funding education and skills training for children, young people and adults.
FGM	Female genital mutilation	All procedures involving the partial or total removal of the external female genitalia or other injury to the female genital organs. FGM is illegal in the UK and a form of child abuse with long-lasting harmful consequences.
UK GDPR	UK General Data Protection Regulation	Legislative Centre designed to strengthen the safety and security of all data held within an organisation and ensure that procedures relating to personal data are fair and consistent.
HBA	'Honour-based' abuse	So-called 'honour-based' abuse involves crimes that have been committed to defend the honour of the family and/or community.
HMCTS	HM Courts and Tribunals Service	HM Courts and Tribunals Service is responsible for the administration of criminal, civil and family courts and tribunals in England and Wales. HMCTS is an executive agency, sponsored by the Ministry of Justice.
IICSA	Independent Inquiry into Child Sexual Abuse	The Independent Inquiry into Child Sexual Abuse is analysing case files from the Disclosure and Barring Service to learn more about the behaviours of perpetrators who have sexually abused children in institutions, and to understand institutional responses to these behaviours.
KCSIE	Keeping children safe in education	Statutory guidance setting out INSTITUTES and colleges' duties to safeguard and promote the welfare of children.
LA	Local authority	A local government agency responsible for the Centre of a range of services in a specified local area, including education.
LAC	Looked-after children	Children who have been placed in local authority care or where children's services have looked after children for more than a period of 24 hours.
LGBTQ+	Lesbian, gay, bisexual, transgender and queer plus	Term relating to a community of people, protected by the Equality Act 2010, who identify as lesbian, gay, bisexual or transgender, or other protected sexual or gender identities.
NPCC	The National Police Chiefs' Council	The National Police Chiefs' Council is a national coordination body for law enforcement in the United Kingdom and the representative body for British police chief officers.
PLAC	Previously looked-after children	Children who were previously in local authority care or were looked after by children's services for more than a period of 24 hours. PLAC are also known as care leavers.

PSHE	Personal, social and health education	A non-statutory subject in which young persons learn about themselves, other people, rights, responsibilities and relationships.
PHE	Public Health England	An executive agency of the Department of Health and Social Care which aims to protect and improve the nation's health and wellbeing.
RSHE	Relationships, sex and health education	A compulsory subject from Year 7 for all young persons. Includes the teaching of sexual health, reproduction and sexuality, as well as promoting positive relationships.
SCR	Single central record	A statutory secure record of recruitment and identity checks for all permanent and temporary colleagues, proprietors, contractors, external coaches and instructors, and volunteers who attend the INSTITUTE in a non-visitor capacity.
SENCO	Special educational needs coordinator	A statutory role within all INSTITUTEs maintaining oversight and coordinating the implementation of the INSTITUTE's special educational needs policy and Centre of education to young persons with special educational needs.
SLT	Senior leadership team	Colleagues' members who have been delegated leadership responsibilities in a INSTITUTE.
TRA	Teaching Regulation Agency	An executive agency of the DfE with responsibility for the regulation of the teaching profession.
VSH	Virtual INSTITUTE head	Virtual INSTITUTE heads are in charge of promoting the educational achievement of all the children looked after by the local authority they work for, and all children who currently have, or previously had, a social worker.

## 2. Definitions

The terms “**children**” and “**child**” refer to anyone under the age of 18.

For the purposes of this policy, “**safeguarding and protecting the welfare of children**” is defined as:

- Protecting young persons from maltreatment.
- Preventing the impairment of young persons’ mental and physical health or development.
- Ensuring that young persons grow up in circumstances consistent with the Centre of safe and effective care.
- Taking action to enable all young persons to have the best outcomes.

For the purposes of this policy, “**consent**” is defined as having the freedom and capacity to choose to engage in sexual activity. Consent may be given to one sort of sexual activity but not another, and can be withdrawn at any time during sexual activity and each time activity occurs. A person only consents to a sexual activity if they agree by choice to that activity, and has the freedom and capacity to make that choice. Children under the age of 13 can never consent to any sexual activity. The age of consent is 16.

For the purposes of this policy, “**sexual violence**” refers to the following offences as defined under the Sexual Offences Act 2003:

- **Rape:** A person (A) commits an offence of rape if they intentionally penetrate the vagina, anus or mouth of another person (B) with their penis, B does not consent to the penetration, and A does not reasonably believe that B consents.
- **Assault by penetration:** A person (A) commits an offence if they intentionally penetrate the vagina or anus of another person (B) with a part of their body or anything else, the penetration is sexual, B does not consent to the penetration, and A does not reasonably believe that B consents.
- **Sexual assault:** A person (A) commits an offence of sexual assault if they intentionally touch another person (B), the touching is sexual, B does not consent to the touching, and A does not reasonably believe that B consents.
- **Causing someone to engage in sexual activity without consent:** A person (A) commits an offence if they intentionally cause another person (B) to engage in an activity, the activity is sexual, B does not consent to engaging in the activity, and A does not reasonably believe that B consents. This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.

or the purposes of this policy, “**sexual harassment**” refers to unwanted conduct of a sexual nature that occurs online or offline, inside or outside of INSTITUTE. Sexual harassment is likely to violate a young person’s dignity, make them feel intimidated, degraded or humiliated, and create a hostile, offensive, or sexualised environment. If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour and may lead to sexual violence. Sexual harassment can include, but is not limited to:



- Sexual comments, such as sexual stories, lewd comments, sexual remarks about clothes and appearance, and sexualised name-calling.
- Sexual “jokes” and taunting.
- Physical behaviour, such as deliberately brushing against someone, interfering with someone’s clothes, and displaying images of a sexual nature.
- Online sexual harassment, which may be standalone or part of a wider pattern of sexual harassment and/or sexual violence. This includes:
  - The consensual and non-consensual sharing of nude and semi-nude images and/or videos.
  - Sharing unwanted explicit content.
  - Upskirting.
  - Sexualised online bullying.
  - Unwanted sexual comments and messages, including on social media.
  - Sexual exploitation, coercion, and threats.

For the purposes of this policy, the “**consensual and non-consensual sharing of nude and semi-nude images and/or videos**”, colloquially known as “**sexting**”, is defined as the sharing between young persons of sexually explicit content, including indecent imagery. For the purposes of this policy, “**indecent imagery**” is defined as an image which meets one or more of the following criteria:

- Nude or semi-nude sexual posing
- A child touching themselves in a sexual way
- Any sexual activity involving a child
- Someone hurting a child sexually
- Sexual activity that involves animals

### 3. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

#### Legislation

- Children Act 1989
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- The Education (INSTITUTE Staff’ appraisal) (England) Regulations 2012 (as amended)
- Sexual Offences Act 2003
- Female Genital Mutilation Act 2003 (as inserted by the Serious Crime Act 2015)
- Equality Act 2010 including Public Sector Equality Duty
- Counter-Terrorism and Security Act 2015
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Voyeurism (Offences) Act 2019
- Domestic Abuse Act 2021
- Human Rights Act 1998

#### Statutory guidance

- HM Government (2020) 'Multi-agency statutory guidance on female genital mutilation'
- HM Government (2013) 'Multi-agency practice guidelines: Handling cases of Forced Marriage'
- HM Government (2021) 'Channel Duty Guidance: Protecting people vulnerable to being drawn into terrorism'
- DfE (2021) 'Keeping children safe in education 2021'
- DfE (2018) 'Working Together to Safeguard Children'
- DfE (2015) 'The Prevent duty'
- DfE (2018) 'Disqualification under the Childcare Act 2006'

### **Non-statutory guidance**

- DfE (2015) 'What to do if you're worried a child is being abused'
- DfE (2018) 'Information sharing'
- DfE (2017) 'Child sexual exploitation'
- DfE (2021) 'Sexual violence and sexual harassment between children in INSTITUTES and colleges'
- DfE (2021) 'Recruit staff from overseas'
- DfE (2020) 'Sharing nudes and semi-nudes: advice for education settings working with children and young people'

This policy operates in conjunction with the following INSTITUTE policies:

- Children Missing Education Policy
- Child Sexual Exploitation (CSE) Policy
- Prevent Duty Policy
- Child-on-child Abuse Policy
- Anti-Bullying Policy
- Exclusion Policy
- Online Safety Policy
- Data and Cyber-security Breach Prevention and Management Plan
- Personal Electronic Devices Policy
- Data Protection Policy
- Photography Policy
- Records Management Policy
- LAC Policy
- Whistleblowing Policy
- Allegations of Abuse Against Colleagues Policy
- Safer Recruitment Policy
- Colleagues Code of Conduct
- Communication Policy

### **4. Roles and responsibilities**

All colleagues have a responsibility to:

- Everyone should support the DSL or Deputy DSL in their roles.
- Consider, at all times, what is in the best interests of the young person.
- Maintain an attitude of 'it could happen here' where safeguarding is concerned.

- Provide a safe environment in which young persons can learn.
- Be prepared to identify young people who may benefit from early help.
- Be aware of the INSTITUTE's systems which support safeguarding, including any policies, procedures, information and training provided upon induction.
- Be aware of the role and identity of the DSL and deputy DSLs.
- Understand safeguarding training, including online safety training, during their induction – this will be regularly updated.
- Receive and understand child protection and safeguarding (including online safety) updates, e.g. via email, as required, and at least annually.
- Be aware of the local early help process and understand their role in it.
- Be aware of, and understand, the process for making referrals to CSCS, as well as for making statutory assessments under the Children Act 1989 and their role in these assessments.
- Make a referral to CSCS and/or the police immediately, if at any point there is a risk of immediate serious harm to a child.
- Support social workers in making decisions about individual children, in collaboration with the DSL.
- Be aware of and understand the procedure to follow in the event that a child confides they are being abused, exploited or neglected.
- Maintain appropriate levels of confidentiality when dealing with individual cases.
- Reassure victims that they are being taken seriously, that they will be supported, and that they will be kept safe.
- Speak to the DSL if they are unsure about how to handle safeguarding matters.
- Be aware of safeguarding issues that can put young persons at risk of harm.
- Be aware of behaviours linked to issues such as drug-taking, alcohol misuse, deliberately missing education, and sharing indecent images, and other signs that young persons may be at risk of harm.

Staff, including the Principal, have a responsibility to:

- Safeguard a young persons' wellbeing and maintain public trust in the teaching profession as part of their professional duties, as outlined in the 'Staff' Standards'.

The governing board has a duty to:

- Take strategic leadership responsibility for the INSTITUTE's safeguarding arrangements.
- Ensure that the INSTITUTE complies with its duties under the above child protection and safeguarding legislation.
- Guarantee that the policies, procedures and training opportunities in the INSTITUTE are effective and comply with the law at all times.
- Guarantee that the INSTITUTE contributes to multi-agency working in line with the statutory guidance '[Working Together to Safeguard Children](#)'.
- Confirm that the INSTITUTE's safeguarding arrangements take into account the procedures and practices of the LA as part of the inter-agency safeguarding procedures.
- Understand the local criteria for action and the local protocol for assessment, and ensure these are reflected in the INSTITUTE's policies and procedures.

- Comply with its obligations under section 14B of the Children Act 2004 to supply the local safeguarding arrangements with information to fulfil its functions.
- Ensure that colleagues working directly with children read at least Part one of KCSIE.
- Ensure that colleagues who do not work directly with children read either Part one or Annex A of KCSIE. **NB:** Individual INSTITUTES assess which guidance will be most effective for their colleagues to safeguard and promote the welfare of children.
- Ensure that mechanisms are in place to assist colleagues to understand and discharge their role and responsibilities in regard to safeguarding children.
- Ensure a senior board level lead takes leadership responsibility for safeguarding arrangements.
- Appoint a member of colleagues from the SLT to the role of DSL as an explicit part of the role-holder's job description.
- Appoint one or more deputy DSLs to provide support to the DSL, and ensure that they are trained to the same standard as the DSL and that the role is explicit in their job description(s).
- Facilitate a whole-INSTITUTE to safeguarding; this includes ensuring that safeguarding and child protection are at the forefront and underpin all relevant aspects of process and policy development.
- Where there is a safeguarding concern, ensure the child's wishes and feelings are taken into account when determining what action to take and what services to provide.
- Ensure systems are in place, children to confidently report abuse, knowing that their concerns will be treated seriously, and they can safely express their views and give feedback; these systems will be well-promoted, easily understood, and easily accessible.
- Ensure that colleagues have due regard to relevant data protection Director(s) that allow them to share and withhold personal information.
- Ensure that a member of the governing board is nominated to liaise with the LA and/or partner agencies on issues of child protection and in the event of allegations of abuse made against the Principal or another governor.
- Ensure all relevant persons are aware of the INSTITUTE's local safeguarding arrangements, including the governing board itself, the SLT and DSL.
- Make sure that young persons are taught about safeguarding, including protection against dangers online (including when they are online at home), through teaching and learning opportunities, as part of providing a broad and balanced curriculum.
- Adhere to statutory responsibilities by conducting pre-employment checks on colleagues who work with children, taking proportionate decisions on whether to ask for any checks beyond what is required.
- Ensure that colleagues are appropriately trained to support young persons to be themselves at INSTITUTE, e.g. if they are LGBTQ+.
- Ensure the INSTITUTE has clear systems and processes in place for identifying possible mental health problems in young persons, including clear routes to escalate concerns and clear referral and accountability systems.
- Guarantee that volunteers are appropriately supervised.
- Make sure that at least one person on any appointment panel has undertaken safer recruitment training.

- Ensure that all colleagues receive safeguarding and child protection training updates, e.g. emails, as required, but at least annually.
- Certify that there are procedures in place to handle allegations against colleagues, supply colleagues, volunteers and contractors.
- Confirm that there are procedures in place to make a referral to the DBS and the Teaching Regulation Agency (TRA), where appropriate, if a person in regulated activity has been dismissed or removed due to safeguarding concerns or would have been had they not resigned.
- Guarantee that there are procedures in place to handle young persons' allegations against other young persons.
- Ensure that appropriate disciplinary procedures are in place, as well as policies pertaining to the behaviour of young persons and colleagues.
- Ensure that procedures are in place to eliminate unlawful discrimination, harassment and victimisation, including those in relation to child-on-child abuse.
- Guarantee that there are systems in place for young persons to express their views and give feedback.
- Establish an early help procedure and ensure all colleagues understand the procedure and their role in it.
- Appoint a designated teacher to promote the educational achievement of LAC and ensure that this person has undergone appropriate training.
- Ensure that the designated teacher works with the virtual INSTITUTE head (VSH) to discuss how the young person premium funding can best be used to support LAC.
- Introduce mechanisms to assist colleagues in understanding and discharging their roles and responsibilities.
- Make sure that colleagues members have the skills, knowledge and understanding necessary to keep LAC safe, particularly with regard to the young person's legal status, contact details and care arrangements.
- Put in place appropriate safeguarding responses for young persons who go missing from INSTITUTE, particularly on repeat occasions, to help identify any risk of abuse, neglect or exploitation, and prevent the risk of their appearance in future.
- Ensure that all members of the governing board have been subject to an enhanced DBS check.
- Create a culture where colleagues are confident to challenge senior leaders over any safeguarding concerns.

The Principal has a duty to:

- Ensure that the policies and procedures adopted by the governing board, particularly concerning referrals of cases of suspected abuse and neglect, are followed by colleagues.
- Provide colleagues with the appropriate policies and information upon induction.

The DSL has a duty to:

- Take lead responsibility for safeguarding and child protection, including online safety.
- Provide advice and support to other colleagues on child welfare, safeguarding and child protection matters.
- Take part in strategy discussions and inter-agency meetings, and/or support other colleagues to do so.

- Contribute to the assessment of children, and/or support other colleagues to do so.
- During term time, be available during INSTITUTE hours for colleagues to discuss any safeguarding concerns. **NB:** Individual INSTITUTES, working with the DSL, define what “available” means and whether, in exceptional circumstances, availability via phone, videocall, or other media is an acceptable substitution for in-person availability.
- Arrange, alongside the INSTITUTE, adequate and appropriate cover for any activities outside of INSTITUTE hours or terms.
- Refer cases:
  - To CSCS where abuse and neglect are suspected, and support colleagues who make referrals CSCS.
  - To the Channel programme where radicalisation concerns arise, and support colleagues who make referrals to the Channel programme.
  - To the DBS where a person is dismissed or has left due to harm, or risk of harm, to a child.
  - To the police where a crime may have been committed, in line with the National Police Chiefs’ Council (NPCC) guidance.
- Act as a source of support, advice and expertise for all colleagues.
- Act as a point of contact with the safeguarding partners.
- Liaise with the Principal to inform them of issues, especially regarding ongoing enquiries under section 47 of the Children Act 1989 and police investigations.
- Liaise with the deputy DSL(s) to ensure effective safeguarding outcomes.
- Liaise with the case manager and the LA designated officer(s) (LADO) for child protection concerns in cases concerning colleagues.
- Liaise with colleagues on matters of safety, safeguarding and welfare, including online and digital safety.
- Liaise with colleagues when deciding whether to make a referral by liaising with relevant agencies so that children’s needs are considered holistically.
- Liaise with the senior mental health lead and, where available, the Mental Health Support Team, where safeguarding concerns are linked to mental health.
- Promote supportive engagement with parents in safeguarding and promoting the welfare of children, including where families may be facing challenging circumstances.
- Work with the Principal and relevant leads, taking lead responsibility for promoting educational outcomes by knowing the welfare, safeguarding and child protection issues that children in need are experiencing, or have experienced, and identifying the impact that these issues might be having on their attendance, engagement and achievement at INSTITUTE. This includes:
  - Ensuring that the INSTITUTE knows which young people have or had a social worker.
  - Understanding the academic progress and attainment of these young people.
  - Maintaining a culture of high aspirations for these young people.
  - Supporting staff to provide additional academic support or reasonable adjustments to help these young persons reach their potential.
  - Helping to promote educational outcomes by sharing the information about the welfare, safeguarding and child protection issues these young persons are experiencing with staff and the SLT.

- Ensure that child protection files are kept up-to-date and only accessed by those who need to do so, via CPOMS.
- Ensure that a young person's child protection file is transferred as soon as possible, and within five days, when transferring to a new INSTITUTE, and consider any additional information that should be shared.
- Ensure each member of colleagues has access to and understands the INSTITUTE's Child Protection and Safeguarding Policy and procedures – this will be discussed during the colleagues induction process.
- Work with the governing board to ensure the INSTITUTE's Child Protection and Safeguarding Policy is reviewed annually, and the procedures are updated and reviewed regularly.
- Ensure the INSTITUTE's Child Protection and Safeguarding Policy is available publicly, and parents are aware that the INSTITUTE may make referrals for suspected cases of abuse or neglect, as well as the role the INSTITUTE plays in these referrals.
- Link with safeguarding partner arrangements to make sure that colleagues are aware of the training opportunities available and the latest local policies on safeguarding.
- Undergo training, and update this training at least every two years.
- Obtain access to resources and attend any relevant or refresher training courses.
- Encourage a culture of listening to children and taking account of their wishes and feelings; this includes understanding the difficulties young persons may have in approaching colleagues about their circumstances and considering how to build trusted relationships that facilitate communication.
- Support and advise colleagues and help them feel confident on welfare, safeguarding and child protection matters: specifically, to ensure that colleagues are supported during the referrals processes; and to support colleagues to consider how safeguarding, welfare and educational outcomes are linked, including to inform the Centre of academic and pastoral support.
- Understand the importance of information sharing, including within INSTITUTE, with other INSTITUTES, and with the safeguarding partners, other agencies, organisations and practitioners.
- Understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the UK GDPR.
- Keep detailed, accurate, secure written records of concerns and referrals, and understand the purpose of this record-keeping.

The designated teacher has a responsibility for promoting the educational achievement of LAC and previously LAC (PLAC), and for children who have left care through adoption, special guardianship or child arrangement orders or who were adopted from state care outside England and Wales.

## **5. Multi-agency working**

The INSTITUTE contributes to multi-agency working as part of its statutory duty. The INSTITUTE is aware of and will follow the local safeguarding arrangements.

For **Early Help, Consultation and Enquiries** please contact:

Telephone: 0345 155 1071  
E-mail: [mashsecure@devon.gcsx.gov.uk](mailto:mashsecure@devon.gcsx.gov.uk)  
Fax: 01392 448951  
Enquiry Form available at: [www.devon.gov.uk/mash-enquiryform.doc](http://www.devon.gov.uk/mash-enquiryform.doc)  
Post: Multi-Agency Safeguarding Hub, P.O. Box 723, Exeter EX1 9QS  
**Emergency Duty Team** – out of hours 0845 6000 388  
**Police** – non emergency – 101  
For all **LADO** enquiries (01392) 384964 or <http://www.devon.gov.uk/lado>

The INSTITUTE will be fully engaged, involved, and included in local safeguarding arrangements. Once the INSTITUTE is named as a relevant agency by local safeguarding partners, it will follow its statutory duty to cooperate with the published arrangements in the same way as other relevant agencies. The INSTITUTE will act in accordance with the safeguarding arrangements.

The INSTITUTE will work with CSCS, the police, health services and other services to protect the welfare of its young persons, through the early help process and by contributing to multi-agency plans to provide additional support.

Where a need for early help is identified, the INSTITUTE will allow access for CSCS from the host LA and, where appropriate a placing LA, for that LA to conduct (or consider whether to conduct) a section 17 or 47 assessment.

The INSTITUTE also recognises the particular importance of inter-agency working in identifying and preventing CSE.

### **Information sharing**

The INSTITUTE recognises the importance of proactive information sharing between professionals and local agencies in order to effectively meet young persons' needs and identify any need for early help.

Considering the above, colleagues will be aware that whilst the UK GDPR and the Data Protection Act 2018 place a duty on INSTITUTES to process personal information fairly and lawfully, they also allow for information to be stored and shared for safeguarding purposes – data protection regulations do not act as a barrier to sharing information where failure to do so would result in the young person being placed at risk of harm.

Colleagues members will ensure that fear of sharing information does not stand in the way of their responsibility to promote the welfare and safety of young persons. If colleagues members are in doubt about sharing information, they will speak to the DSL or deputy DSL(s).

## **6. Early help**



Early help means providing support as soon as a problem emerges, at any point in a child's life. Any young person may benefit from early help, but in particular, colleagues will be alert to the potential need for early help for young persons who:

- Are disabled, have certain health conditions, or have specific additional needs.
- Have SEND, regardless of whether they have a statutory EHC plan.
- Have mental health needs.
- Are young carers.
- Show signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines.
- Are frequently missing or going missing from care or from home.
- Are at risk of modern slavery, trafficking, or sexual or criminal exploitation.
- Are at risk of being radicalised or exploited.
- Have family members in prison, or are affected by parental offending.
- Are in a family circumstance presenting challenges for them, such as drug and alcohol misuse, adult mental health problems, or domestic abuse.
- Misuse drugs or alcohol.
- Have returned home to their family from care.
- Are at risk of HBA, such as FGM or forced marriage.
- Are privately fostered.
- Are persistently absent from education, including persistent absences for part of the INSTITUTE day.
- Show early signs of abuse and/or neglect in other ways.

The DSL will take the lead where early help is appropriate. This includes liaising with other agencies and setting up an inter-agency assessment as appropriate. The local early help process will be followed as required.

Colleagues may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead practitioner. Any such cases will be kept under constant review and consideration given to a referral to CSCS for assessment for statutory services if the young person's situation is not improving or is worsening.

## **7. Abuse and neglect**

For the purposes of this policy, "**abuse**" is defined as a form of maltreatment of a child which involves inflicting harm or failing to act to prevent harm. Children may be abused in a family, institutional or community setting by those known to them or by others, e.g. via the internet. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by one or multiple adults or other children.

For the purposes of this policy, "**physical abuse**" is defined as a form of abuse which may involve actions such as hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical abuse can also be caused when a parent fabricates the symptoms of, or deliberately induces, illness in a child.

For the purposes of this policy, "**emotional abuse**" is defined as the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. This may involve conveying to a child that they are worthless, unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include

not giving the child the opportunities to express their views, deliberately silencing them, 'making fun' of what they say or how they communicate. It may feature age or developmentally appropriate expectations being imposed on children, such as interactions that are beyond their developmental capabilities, overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, including cyberbullying, causing the child to frequently feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, but it may also occur alone.

For the purposes of this policy, **“sexual abuse”** is defined as abuse that involves forcing or enticing a child to take part in sexual activities, not necessarily involving violence, and regardless of whether the child is aware of what is happening. This may involve physical contact, including assault by penetration, or non-penetrative acts, such as masturbation, kissing, rubbing, and touching outside of clothing. It may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, encouraging children to behave in sexually appropriate ways, or grooming a child in preparation for abuse. Sexual abuse can be perpetrated by people of any gender and age.

For the purposes of this policy, **“neglect”** is defined as the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of a child's health or development. This may involve a parent or carer failing to provide a child with adequate food, clothing or shelter (including exclusion from home or abandonment); failing to protect a child from physical or emotional harm or danger; failing to ensure adequate supervision (including through the use of appropriate caregivers); or failing to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

All colleagues will be aware of the indicators of abuse and neglect. All colleagues will be aware that abuse, neglect and other safeguarding issues are rarely standalone events that can be given a specific label, and multiple issues often overlapping one another; therefore, colleagues will be vigilant and always raise concerns with the DSL. All colleagues, especially the DSL and deputy DSL(s), will be aware that safeguarding incidents and/or behaviours can be associated with factors outside the INSTITUTE and/or can occur between children outside of these environments; this includes being aware that young persons can be at risk of abuse or exploitation in situations outside their families (extra-familial harms). All colleagues will be aware of the appropriate action to take following a young person being identified as a potential risk of abuse and, in all cases, will speak to the DSL if they are unsure.

All colleagues will be aware that technology is a significant component in many safeguarding and wellbeing issues, including online abuse, cyberbullying, and the sharing of indecent images.

## **8. Domestic abuse**

For the purposes of this policy, and in line with the Domestic Abuse Act 2021, **“domestic abuse”** is defined as abusive behaviour of a person towards another person (including conduct directed at someone else, e.g. the person's child) where both are aged 16 or over and are personally connected. **“Abusive behaviour”** includes physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse,

psychological or emotional abuse, or another form of abuse. **“Personally connected”** includes people who:

- Are, have been, or have agreed to be married to each other.
- Are, have been, or have agreed to be in a civil partnership with each other.
- Are, or have been, in an intimate personal relationship with each other.
- Each have, or had, a parental relationship towards the same child.
- Are relatives.

The INSTITUTE will recognise the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of domestic abuse. All colleagues will be aware of the signs of domestic abuse and follow the appropriate safeguarding procedures where concerns arise.

Staff should understand the impact domestic abuse including the potential short-term and long-term detrimental impact on children’s health, wellbeing, and ability to learn if they are experiencing domestic abuse at home or within their own intimate relationships.

## **9. Homelessness**

The DSL and deputy DSL(s) will be aware of the contact details and referral routes into the Local Housing Authority so that concerns over homelessness can be raised as early as possible.

Indicators that a family may be at risk of homelessness include:

- Household debt.
- Rent arrears.
- Domestic abuse.
- Anti-social behaviour.
- Any mention of a family moving home because “they have to”.

Referrals to the Local Housing Authority do not replace referrals to CSCS where a child is being harmed or at risk of harm. For 16- and 17-year-olds, homelessness may not be family-based and referrals to CSCS will be made as necessary where concerns are raised.

## **10. Children missing from education**

A child going missing from INSTITUTE is a potential indicator of abuse or neglect and, as such, these children are increasingly at risk of being victims of harm, exploitation or radicalisation. Colleagues will monitor young persons that go missing from the INSTITUTE, particularly on repeat occasions, and report them to the DSL following normal safeguarding procedures, in accordance with the Children Missing Education Policy. The INSTITUTE will inform the LA of any young person who fails to attend regularly or has been absent without the INSTITUTE’s permission for a continuous period of 10 INSTITUTE days or more.

### **Admissions register**

Young persons are placed on the admissions register at the beginning of the first day that is agreed by the INSTITUTE, or when the INSTITUTE has been notified that the young person will first be attending. The INSTITUTE will notify the LA within 5 days of when a young person’s name is added to the admissions register.

The INSTITUTE will ensure that the admissions register is kept up-to-date and accurate at all times and will inform parents when any changes occur. Two emergency contact details will be held for each young person where possible. Colleagues will monitor young persons who do not attend the INSTITUTE on the agreed date and will notify the LA at the earliest opportunity.

If a parent notifies the INSTITUTE that their child will live at a different address, the INSTITUTE will record the following information on the admissions register:

- The full name of the parent with whom the young person will live
- The new address
- The date from when the young person will live at that address

If a parent notifies the INSTITUTE that their child will be attending a different INSTITUTE, or is already registered at a different INSTITUTE, the following information will be recorded on the admissions register:

- The name of the new INSTITUTE
- The date on which the young person first attended, or is due to attend, that INSTITUTE

Where a young person moves to a new INSTITUTE, the INSTITUTE will use a secure internet system to securely transfer young persons' data.

To ensure accurate data is collected to allow effective safeguarding, the INSTITUTE will inform the LA of any young person who is going to be deleted from the admission register, in accordance with the Education (Young person Registration) (England) Regulations 2006 (as amended), where they:

- Have been taken out of the INSTITUTE by their parents, and are being educated outside the national education system, e.g. home education.
- Have ceased to attend the INSTITUTE, and no longer live within a reasonable distance of the premises.
- Have been certified by the INSTITUTE's medical officer as unlikely to be in a fit state of health to attend, before ceasing to be of compulsory INSTITUTE age, and their parent has not indicated the intention to the young person continuing to attend INSTITUTE after ceasing to be of compulsory INSTITUTE age.
- Have been in custody for a period of more than four months due to a final court order and the INSTITUTE does not reasonably believe they will be returning to the INSTITUTE at the end of that period.
- Have been permanently excluded.

The INSTITUTE will also remove a young person from the admissions register where the INSTITUTE and LA has been unable to establish the young person's whereabouts after making reasonable enquiries into their attendance.

If a young person is to be removed from the admissions register, the INSTITUTE will provide the LA with the following information:

- The full name of the young person
- The full name and address of any parent with whom the young person lives

- At least one telephone number of the parent with whom the young person lives
- The full name and address of the parent with whom the young person is going to live, and the date that the young person will start living there, if applicable
- The name of the young person's new INSTITUTE and the young person's expected start date there, if applicable
- The grounds for removal from the admissions register under regulation 8 of the Education (Young person Registration) (England) Regulations 2006 (as amended)

The INSTITUTE will work with the LA to establish methods of making returns for young persons back into the INSTITUTE. The INSTITUTE will highlight to the LA where they have been unable to obtain necessary information from parents, e.g. where an address is unknown. The INSTITUTE will also highlight any other necessary contextual information, including safeguarding concerns.

### **11. Child abduction and community safety incidents**

For the purposes of this policy, “**child abduction**” is defined as the unauthorised removal or retention of a child from a parent or anyone with legal responsibility for the child. Child abduction can be committed by parents and other relatives, other people known to the victim, and strangers.

All colleagues will be alert to community safety incidents taking place in the vicinity of the INSTITUTE that may raise concerns regarding child abduction, e.g. people loitering nearby or unknown adults conversing with young persons.

Young persons will be provided with practical advice and lessons to ensure they can keep themselves safe outdoors.

### **12. Child criminal exploitation (CCE)**

For the purposes of this policy, “**child criminal exploitation**” is defined as a form of abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into taking part in criminal activity, for any of the following reasons:

- In exchange for something the victim needs or wants
- For the financial advantage or other advantage of the perpetrator or facilitator
- Through violence or the threat of violence

Specific forms of CCE can include:

- Being forced or manipulated into transporting drugs or money through county lines.
- Working in cannabis factories.
- Shoplifting or pickpocketing.
- Committing vehicle crime.
- Committing, or threatening to commit, serious violence to others.

The INSTITUTE will recognise that young persons involved in CCE are victims themselves, regardless of whether they have committed crimes, and even if the criminal activity appears consensual. The INSTITUTE will also recognise that young persons of any gender are at risk of CCE.

INSTITUTE colleagues will be aware of the indicators that a young person is the victim of CCE, including:

- appearing with unexplained gifts, money or new possessions.
- Associating with other children involved in exploitation.
- Suffering from changes in emotional wellbeing.
- Misusing drugs or alcohol.
- Going missing for periods of time or regularly coming home late.
- Regularly missing INSTITUTE or education or not taking part.

### **County lines**

For the purposes of this policy, “**county lines**” refers to gangs and organised criminal networks exploiting children to move, store or sell drugs and money into one or more areas, locally and/or across the UK.

As well as the general indicators for CCE, INSTITUTE colleagues will be aware of the specific indicators that a young person may be involved in county lines, including:

- Going missing and subsequently being found in areas away from their home.
- Having been the victim or perpetrator of serious violence, e.g. knife crime.
- Receiving requests for drugs via a phone line.
- Moving drugs.
- Handing over and collecting money for drugs.
- Being exposed to techniques such as ‘plugging’, where drugs are concealed internally to avoid detection.
- Being found in accommodation they have no connection with or a hotel room where there is drug activity.
- Owing a ‘debt bond’ to their exploiters.
- Having their bank account used to facilitate drug dealing.

Colleagues will be made aware of young persons with missing episodes who may have been trafficked for the purpose of transporting drugs. Colleagues members who suspect a young person may be vulnerable to, or involved in, county lines activity will immediately report all concerns to the DSL.

The DSL will consider referral to the National Referral Mechanism on a case-by-case basis and consider involving local services and providers who offer support to victims of county lines exploitation.

### **Children & the Court system**

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children 5-11-year olds and 12-17 year olds.

The guides explain each step of the process, support and special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents and carers

### **13. Cyber-crime**

For the purposes of this policy, “**cyber-crime**” is defined as criminal activity committed using computers and/or the internet. This includes ‘cyber-enabled’ crimes, i.e. crimes that can happen offline but are enabled at scale and at speed online, and ‘cyber-dependent’ crimes, i.e. crimes that can be committed only by using a computer. Crimes include:

- Unauthorised access to computers, known as ‘hacking’.
- Denial of Service attacks, known as ‘booting’.
- Making, supplying or obtaining malicious software, or ‘malware’, e.g. viruses, spyware, ransomware, botnets and Remote Access Trojans with the intent to commit further offence.

All colleagues will be aware of the signs of cyber-crime and follow the appropriate safeguarding procedures where concerns arise. This may include the DSL referring young persons to the National Crime Agency’s Cyber Choices programme.

### **14. Child sexual exploitation (CSE)**

For the purposes of this policy, “**child sexual exploitation**” is defined as a form of sexual abuse where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity, for any of the following reasons:

- In exchange for something the victim needs or wants
- For the financial advantage, increased status or other advantage of the perpetrator or facilitator
- Through violence or the threat of violence

The INSTITUTE will recognise that CSE can occur over time or be a one-off occurrence, and may happen without the young person’s immediate knowledge, e.g. through others sharing videos or images of them on social media. The INSTITUTE will recognise that CSE can affect any young person who has been coerced into engaging in sexual activities, even if the activity appears consensual; this includes young persons aged 16 and above who can legally consent to sexual activity. The INSTITUTE will also recognise that young persons may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship.

INSTITUTE colleagues will be aware of the key indicators that a young person is the victim of CSE, including:

- Appearing with unexplained gifts, money or new possessions.

- Associating with other children involved in exploitation.
- Suffering from changes in emotional wellbeing.
- Misusing drugs or alcohol.
- Going missing for periods of time or regularly coming home late.
- Regularly missing INSTITUTE or education or not taking part.
- Having older boyfriends or girlfriends.
- Suffering from sexually transmitted infections.
- Displaying sexual behaviours beyond expected sexual development.
- Becoming pregnant.

All concerns related to CSE will be managed in line with the INSTITUTE's Child Sexual Exploitation (CSE) Policy.

Where CSE, or the risk of it, is suspected, colleagues will discuss the case with the DSL. If after discussion a concern remains, local safeguarding procedures will be triggered, including referral to the LA. The LA and all other necessary authorities will then handle the matter to conclusion. The INSTITUTE will cooperate as needed.

### **15. Modern slavery**

For the purposes of this policy, “**modern slavery**” encompasses human trafficking and slavery, servitude, and forced or compulsory labour. This can include CCE, CSE, and other forms of exploitation.

All colleagues will be aware of and alert to the signs that a young person may be the victim of modern slavery. Colleagues will also be aware of the support available to victims of modern slavery and how to refer them to the National Referral Mechanism.

### **16. FGM**

For the purposes of this policy, “**FGM**” is defined as all procedures involving the partial or total removal of the external female genitalia or other injury to the female genital organs. FGM is illegal in the UK and a form of child abuse with long-lasting harmful consequences.

All colleagues will be alert to the possibility of a young person being at risk of FGM, or already having suffered FGM. If colleagues are worried about someone who is at risk of FGM or who has been a victim of FGM, they are required to share this information with CSCS and/or the police. The INSTITUTE's procedures relating to managing cases of FGM and protecting young persons will reflect multi-agency working arrangements.

As outlined in Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015), staff are **legally required** to report to the police any discovery, whether through disclosure by the victim or visual evidence, of FGM on a young person under the age of 18. Staff failing to report such cases may face disciplinary action. Staff will not examine young persons, and so it is rare that they will see any visual evidence, but they must personally report to the police where an act of FGM appears to have been carried out. Unless the teacher has a good reason not to, they should also consider and discuss any such case with the DSL and involve CSCS as appropriate. **NB:** This does not apply to any suspected or at-risk cases, nor if the individual is over the age of 18. In such cases, local safeguarding procedures will be followed.



All colleagues will be aware of the indicators that young persons may be at risk of FGM. While some individual indicators they may not indicate risk, the presence of two or more indicators could signal a risk to the young person. It is important to note that the young person may not yet be aware of the practice or that it may be conducted on them, so colleagues will be sensitive when broaching the subject.

Indicators that a young person may be at heightened risk of undergoing FGM include:

- The socio-economic position of the family and their level of integration into UK society.
- The young person coming from a community known to adopt FGM.
- Any girl with a mother or sister who has been subjected to FGM.
- Any girl withdrawn from PSHE.

Indicators that FGM may take place soon include:

- When a female family elder is visiting from a country of origin.
- A girl confiding that she is to have a 'special procedure' or a ceremony to 'become a woman'.
- A girl requesting help from a teacher if she is aware or suspects that she is at immediate risk.
- A girl, or her family member, talking about a long holiday to her country of origin or another country where FGM is prevalent.

All colleagues will be vigilant to the signs that FGM has already taken place so that help can be offered, enquiries can be made to protect others, and criminal investigations can begin.

Indicators that FGM may have already taken place include the young person:

- Having difficulty walking, sitting or standing.
- Spending longer than normal in the bathroom or toilet.
- Spending long periods of time away from a classroom during the day with bladder or menstrual problems.
- Having prolonged or repeated absences from INSTITUTE, followed by withdrawal or depression.
- Being reluctant to undergo normal medical examinations.
- Asking for help, but not being explicit about the problem due to embarrassment or fear.

FGM is included in the definition of “**honour-based’ abuse (HBA)**”, which involves crimes that have been committed to defend the honour of the family and/or community. All forms of HBA are forms of abuse and will be treated and escalated as such. Colleagues will be alert to the signs of HBA, including concerns that a child is at risk of HBA, or has already suffered from HBA, and will consult with the DSL who will activate local safeguarding procedures if concerns arise.

### **17. Forced marriage**

For the purposes of this policy, a “**forced marriage**” is defined as a form of abuse where the marriage that is entered into without the full and free consent of one or both parties, and where violence, threats or any other form of coercion is used to cause a person to enter into

the marriage. Threats can be physical, emotional, or psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent, e.g. due to some forms of SEND. Forced marriage is a crime in the UK and a form of HBA.

All colleagues will be alert to the indicators that a young person is at risk of, or has undergone, forced marriage, including, but not limited to, the young person:

- Becoming anxious, depressed and emotionally withdrawn with low self-esteem.
- Showing signs of mental health disorders and behaviours such as self-harm or anorexia.
- Displaying a sudden decline in their educational performance, aspirations or motivation.
- Regularly being absent from INSTITUTE.
- Displaying a decline in punctuality.
- An obvious family history of older siblings leaving education early and marrying early.

Colleagues who have any concerns regarding a young person who may have undergone, is currently undergoing, or is at risk of forced marriage will speak to the DSL and local safeguarding procedures will be followed – this could include referral to CSCS, the police or the Forced Marriage Unit.

### **18.Radicalisation**

For the purposes of this policy, “**extremism**” refers to the vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty, and the mutual respect and tolerance of different faiths and beliefs. Extremism also includes calling for the death of members of the armed forces.

For the purposes of this policy, “**radicalisation**” refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

For the purposes of this policy, “**terrorism**” refers to an action that endangers or causes serious violence to a person or people, serious damage to property, or seriously interferes with or disrupts an electronic system. The use or threat of these actions must be designed to influence the government or intimidate the public, and be made for the purpose of advancing a political, religious or ideological cause.

Protecting young persons from the risk of radicalisation is part of the INSTITUTE’s wider safeguarding duties. The INSTITUTE will actively assess the risk of young persons being radicalised and drawn into extremism and/or terrorism. Colleagues will be alert to changes in young persons’ behaviour which could indicate that they may need help or protection. Colleagues will use their professional judgement to identify young persons who may be at risk of radicalisation and act appropriate, which may include contacting the DSL or making a Prevent referral. The INSTITUTE will work with local safeguarding arrangements as appropriate.

The INSTITUTE will ensure that they engage with parents and families, as they are in a key position to spot signs of radicalisation. In doing so, the INSTITUTE will assist and advise family members who raise concerns and provide information for support mechanisms. Any concerns over radicalisation will be discussed with the young person’s parents, unless the INSTITUTE has reason to believe that the child would be placed at risk as a result.

The DSL will undertake Prevent awareness training to be able to provide advice and support to other colleagues on how to protect young persons against the risk of radicalisation. The DSL will hold formal training sessions with all members of colleagues to ensure they are aware of the risk indicators and their duties regarding preventing radicalisation.

### **The Prevent duty**

Under section 26 of the Counter-Terrorism and Security Act 2015, all INSTITUTES are subject to a duty to have “due regard to the need to prevent people from being drawn into terrorism”, known as “**the Prevent duty**”. The Prevent duty will form part of the INSTITUTE’s wider safeguarding obligations.

The INSTITUTE’s procedures for carrying out the Prevent duty, including how it will engage and implement the Channel programme, are outline in the Prevent Duty Policy.

#### **19.Young persons with family members in prison**

Young persons with a family member in prison will be offered pastoral support as necessary. They will receive a copy of [‘Are you a young person with a family member in prison?’](#) from Action for Prisoners’ Families where appropriate and allowed the opportunity to discuss questions and concerns.

#### **20.Young persons required to give evidence in court**

Young persons required to give evidence in criminal courts, either for crimes committed against them or crimes they have witnessed, will be offered appropriate pastoral support.

Young people will be provided with the booklet [‘Going to Court’](#) from HMCTS where appropriate and allowed the opportunity to discuss questions and concerns.

Young people will be provided with the booklet [‘Going to Court and being a witness’](#) from HMCTS where appropriate and allowed the opportunity to discuss questions and concerns.

#### **21.Mental health**

All colleagues will be made aware that mental health problems can, in some cases, be an indicator that a young person has suffered, or is at risk of suffering, abuse, neglect or exploitation.

Colleagues will not attempt to make a diagnosis of mental health problems – the INSTITUTE will ensure this is done by a trained mental health professional. Colleagues will, however, be encouraged to identify young persons whose behaviour suggests they may be experiencing a mental health problem or may be at risk of developing one. Colleagues will also be aware of how young persons’ experiences can impact on their mental health, behaviour, and education.

Colleagues who have a mental health concern about a young person that is also a safeguarding concern will act in line with this policy and speak to the DSL or deputy DSL(s).

The INSTITUTE will access a range of advice to help them identify young persons in need of additional mental health support, including working with external agencies.

#### **22.Child-on-child abuse**

For the purposes of this policy, “**child-on-child abuse**” is defined as abuse between children.

The INSTITUTE has a zero-tolerance approach to abuse, including child-on-child abuse, as confirmed in the Child Protection and Safeguarding Policy’s [statement of intent](#).

All colleagues will be aware that child-on-child abuse can occur between young persons of any age and gender, both inside and outside of INSTITUTE, as well as online. All colleagues will be aware of the indicators of child-on-child abuse, how to identify it, and how to respond to reports. All colleagues will also recognise that even if no cases have been reported, this is not an indicator that child-on-child abuse is not occurring. All colleagues will speak to the DSL if they have any concerns about child-on-child abuse.

All colleagues will understand the importance of challenge appropriate behaviour between peers, and will not tolerate abuse as “banter” or “part of growing up”.

Child-on-child abuse can be manifested in many different ways, including:

- Bullying, including cyberbullying and prejudice-based or discriminatory bullying.
- Abuse in intimate personal relationships between peers.
- Physical abuse – this may include an online element which facilitates, threatens and/or encourages physical abuse.
- Sexual violence – this may include an online element which facilitates, threatens and/or encourages sexual violence.
- Sexual harassment, including online sexual harassment, which may be standalone or part of a broader pattern of abuse.
- Causing someone to engage in sexual activity without consent.
- The consensual and non-consensual sharing of nude and semi-nude images and/or videos.
- Upskirting.
- Initiation- and hazing-type violence and rituals, which can include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group, and may also include an online element.

All colleagues will be clear as to the INSTITUTE’s policy and procedures regarding child-on-child abuse and the role they have to play in preventing it and responding where they believe a child may be at risk from it.

All colleagues will be made aware of the heightened vulnerability of young persons with SEND, who evidence suggests are more likely to be abused than their peers. Colleagues will not assume that possible indicators of abuse relate to the young person’s SEND and will always explore indicators further.

All colleagues will be made aware of the heightened vulnerability of LGBTQ+ young persons, who evidence suggests are also more likely to be targeted by their peers. In some cases, young persons who are perceived to be LGBTQ+, regardless of whether they are LGBTQ+, can be just as vulnerable to abuse as LGBTQ+ young persons. The INSTITUTE’s response to sexual violence and sexual harassment between young persons of the same sex will be equally as robust as it is for incidents between children of the opposite sex.

Young people will be made aware of how to raise concerns or make a report and how any reports will be handled. This includes the process for reporting concerns about friends or peers. Young people will also be reassured that they will be taken seriously, be supported, and kept safe.

The INSTITUTE's procedures for managing allegations of child-on-child abuse are outlined in the Child-on-child Abuse Policy. Colleagues will follow these procedures, as well as the procedures outlined in the INSTITUTE's Anti-Bullying Policy and Exclusion Policy, where relevant.

### **23.Serious violence**

Through training, all colleagues will be made aware of the indicators which may signal a young person is at risk from, or is involved with, serious violent crime. These indicators include, but are not limited to:

- Increased absence from INSTITUTE.
- A change in friendships.
- Relationships with older individuals or groups.
- A significant decline in academic performance.
- Signs of self-harm.
- A significant change in wellbeing.
- Signs of assault.
- Unexplained injuries.
- Unexplained gifts or new possessions.

Colleagues will be made aware of some of the most significant risk factors that could increase a young person's vulnerability to becoming involved in serious violence. These risk factors include, but are not limited to:

- Being male.
- Having been frequently absent from INSTITUTE.
- Having been permanently excluded from INSTITUTE.
- Having experienced child maltreatment.
- Having been involved in offending, such as theft or robbery.

Colleagues members who suspect a young person may be vulnerable to, or involved in, serious violent crime will immediately report their concerns to the DSL.

### **24.Online safety and personal electronic devices**

The INSTITUTE will adhere to the Online Safety Policy at all times.

As part of a broad and balanced curriculum, all young persons will be made aware of online risks and taught how to stay safe online.

Through training, all colleagues members will be made aware of:

- Young person attitudes and behaviours which may indicate they are at risk of potential harm online.
- The procedure to follow when they have a concern regarding a young person's online activity.

The INSTITUTE will ensure that suitable filtering systems are in place on ICT equipment to prevent children accessing appropriate material, in accordance with the INSTITUTE's Data and Cyber-security Breach Prevention and Management Plan. The INSTITUTE will, however, ensure that the use of filtering and monitoring systems does not cause "over blocking", which may lead to unreasonable restrictions as to what young persons can be taught online.

Further information regarding the INSTITUTE's approach to online safety can be found in the Online Safety Policy.

### **Reviewing online safety**

The INSTITUTE will carry out an annual review of its approach to online safety, supported by an annual risk assessment that considers and reflects the risks faced by young persons.

### **Personal electronic devices**

The use of personal electronic devices, including mobile phones and cameras, by colleagues and young persons is closely monitored by the INSTITUTE, in accordance with the Personal Electronic Devices Policy.

Videography and videos of young persons will be carefully planned before any activity with particular regard to consent and adhering to the INSTITUTE's Data Protection Policy and Photography Policy. The DPO will oversee the planning of any events where photography and videos will be taken.

Where photographs and videos will involve young persons who are LAC, adopted young persons, or young persons for whom there are security concerns, the Principal will liaise with the DSL to determine the steps involved. The DSL will, in known cases of young persons who are LAC or who have been adopted, liaise with the young persons' social workers, carers or adoptive parents to assess the needs and risks associated with the young persons.

Colleagues will report any concerns about young persons' or other colleagues members' use of personal electronic devices to the DSL, following the appropriate procedures.

### **Upskirting**

Under the Voyeurism (Offences) Act 2019, it is an offence to operate equipment for the purpose of upskirting. "**Operating equipment**" includes enabling, or securing, activation by another person without that person's knowledge, e.g. a motion-activated camera.

Upskirting will not be tolerated by the INSTITUTE. Any incidents of upskirting will be reported to the DSL, who will then decide on the next steps to take, which may include police involvement.

## **25.Sexting and the sharing of indecent images**

The INSTITUTE will ensure that colleagues are aware to treat the sharing of indecent images, including through sexting, as a safeguarding concern.

Colleagues will receive approach training regarding child sexual development and will understand the difference between sexual behaviour that is considered normal and expected

for the age of the young person, and sexual behaviour that is appropriate and harmful. Colleagues will receive appropriate training around how to deal with instances of sexting in the INSTITUTE community, including understanding motivations, assessing risks posed to young persons depicted in the images, and how and when to report instances of sexting.

Colleagues will be aware that creating, possessing, and distributing indecent imagery of children is a criminal offence, regardless of whether the imagery is created, possessed, and distributed by the individual depicted; however, colleagues will ensure that young persons are not unnecessarily criminalised.

Where a member of colleagues becomes aware of an incidence of sexting that involves indecent images of a young person, they will refer this to the DSL as soon as possible. Where a young person confides in a colleagues member about the circulation of indecent imagery, depicting them or someone else, the colleagues member will:

- Refrain from viewing, copy, printing, sharing, storing or saving the imagery.
- Tell the DSL immediately if they accidentally view an indecent image and seek support.
- Explain to the young person that the incident will need to be reported.
- Respond positively to the young person without blaming or shaming anyone involved, and reassuring them that they can receive support from the DSL.
- Report the incident to the DSL.

The DSL will attempt to understand what the image contains **without viewing it** and the context surrounding its creation and distribution – they will categorise the incident into one of two categories:

- **Aggravated:** incidents which involve additional or abusive elements beyond the creation and distribution of indecent images of young persons, including where there is an adult involved, where there is an intent to harm the young person depicted, or where the images are used recklessly.
- **Experimental:** incidents involving the creation and distribution of indecent images of young persons where there is no adult involvement or apparent intent to cause harm or embarrassment to the young person.

For there to be a good and clear reason to view imagery, the DSL would need to be satisfied that this action is:

- The only way to make a decision about whether to involve other agencies because it is not possible to establish the facts, e.g. the contents of the imagery, from the young person(s) involved.
- Necessary to report it to a website or suitable reporting agency to have the image taken down, or to support the young person or their parent in making a report.
- Unavoidable because the young person has presented the image directly to a colleagues member or the image has been found on a INSTITUTE device or your INSTITUTE's network.

Where it is necessary to view the imagery, e.g. if this is the only way to make a decision about whether to inform other agencies, the DSL should:

- Never copy, print, share, store or save them as this is illegal – if this has already happened, contact the local police for advice and to explain the circumstances.
- Discuss the decision with the Principal or a member of the SLT.
- Make sure viewing is undertaken by the DSL (or equivalent) or another member of the safeguarding team with delegated authority from the Principal or a member of the SLT.
- Make sure viewing takes place with another member of colleagues present in the room, ideally the Principal or a member of the SLT. This colleagues member does not need to view the images.
- Wherever possible, make sure viewing takes place on the INSTITUTE premises, ideally in the Principal's office or a member of the SLT's office.
- Make sure, wherever possible, that they are viewed by a colleagues member of the same sex as the young person in the images.
- Record how and why the decision was made to view the imagery in the safeguarding or child protection records, including who was present, why the nudes or semi-nudes were viewed and any subsequent actions.

Where the incident is categorised as 'aggravated', the situation will be managed in line with the INSTITUTE's Child-on-child Abuse Policy. Where the incident is categorised as 'experimental', the young persons involved are supported to understand the implications of sharing indecent imagery and to move forward from the incident. Where there is reason to believe that indecent imagery being circulated will cause harm to a young person, the DSL escalates the incident to CSCS. Where indecent imagery of a young person has been shared publicly, the DSL will work with the young person to report imagery to sites on which it has been shared and will reassure them of the support available.

## **26.Context of safeguarding incidents**

Safeguarding incidents can occur outside of INSTITUTE and can be associated with outside factors. All colleagues, particularly the DSL and deputy DSL(s), will always consider the context of safeguarding incidents. Assessment of young persons' behaviour will consider whether there are wider environmental factors that are a threat to their safety and/or welfare. The INSTITUTE will provide as much contextual information as possible when making referrals to CSCS.

## **27.Young persons potentially at greater risk of harm**

The INSTITUTE recognises that some groups of young persons can face additional safeguarding challenges, and understands that further barriers may exist when determining abuse and neglect in these groups of young persons. Additional considerations for managing safeguarding concerns and incidents amongst these groups are outline below.

### **Young people who need social workers**

Young persons may need social workers due to safeguarding or welfare needs. These needs can leave young persons vulnerable to further harm and educational disadvantage.

As a matter of routine, the DSL will hold and use information from the LA about whether a young person has a social worker in order to make decisions in the best interests of the young person's safety, welfare, and educational outcomes.



Where a young person needs a social worker, this will inform decisions about safeguarding, e.g. responding to unauthorised absence, and promoting welfare, e.g. considering the Centre pastoral or academic support.

### **Home-educated children**

Parents may choose elective home education (EHE) for their children. In some cases, EHE can mean that children are less visible to the services needed to safeguard and support them.

In line with the Education (Young person Registration) (England) Regulations 2006, the INSTITUTE will inform the LA of all deletions from the admissions register when a young person is taken off roll.

Where a parent has expressed their intention to remove a young person from INSTITUTE for EHE, the INSTITUTE, in collaboration with the LA and other key professionals, will coordinate a meeting with the parent, where possible, before the final decision has been made, particularly if the young person has SEND, is vulnerable, and/or has a social worker.

### **LAC and PLAC**

Children most commonly become looked after because of abuse and/or neglect. Because of this, they can be at potentially greater risk in relation to safeguarding. PLAC, also known as care leavers, can also remain vulnerable after leaving care.

The governing board will ensure that colleagues have the skills, knowledge and understanding to keep LAC and PLAC safe. This includes ensuring that the appropriate colleagues have the information they need, such as:

- Looked after legal status, i.e. whether they are looked after under voluntary arrangements with consent of parents, or on an interim or full care order.
- Contact arrangements with parents or those with parental responsibility.
- Care arrangements and the levels of authority delegated to the carer by the authority looking after the young person.

The DSL will be provided with the necessary details of young persons' social workers and the VSH, and, for PLAC, personal advisers.

Further details of safeguarding procedures for LAC and PLAC are outlined in the INSTITUTE's LAC Policy.

### **Young people with SEND**

When managing safeguarding in relation to young persons with SEND, colleagues will be aware of the following:

- Certain indicators of abuse, such as behaviour, mood and injury, may relate to the young person's disability without further exploration; however, it should never be assumed that a young person's indicators relate only to their disability
- Young persons with SEND can be disproportionately impacted by issues such as bullying, without outwardly showing any signs
- Communication barriers may exist, as well as difficulties in overcoming these barriers

When reporting concerns or making referrals for young persons with SEND, the above factors will always be taken into consideration. When managing a safeguarding issue relating to a young person with SEND, the DSL will liaise with the INSTITUTE's SENCO, as well as the young person's parents where appropriate, to ensure that the young person's needs are met effectively.

### **28. Use of the INSTITUTE premises for non-INSTITUTE activities**

Where the governing board hires or rents out INSTITUTE facilities or the INSTITUTE premises to organisations or individuals, e.g. for providers to run community or extracurricular activities, it will ensure that appropriate arrangements are in place to keep young persons safe.

Where the governing board provides the activities under the direct supervision or management of INSTITUTE colleagues, child protection arrangements will apply. Where activities are provided separately by another body, this may not be the case; therefore, the governing board will seek assurance that the body concerned has appropriate safeguarding and child protection policies and procedures in place, including inspecting these as needed. The governing board will also ensure that there are arrangements in place to liaise with the INSTITUTE on these matters where appropriate. The governing board will ensure safeguarding requirements are included in any transfer of control agreement, i.e. a lease or hire agreement, as a condition of use and occupation of the premises, and specify that failure to comply with this would lead to termination of the agreement.

### **Extracurricular activities and clubs**

Extra-curricular activities and clubs hosted by external bodies, e.g. charities or companies, will work in collaboration with the INSTITUTE to effectively safeguard young persons and adhere to local safeguarding arrangements.

Colleagues and volunteers running extracurricular activities and clubs are aware of their safeguarding responsibilities and promote the welfare of young persons. Paid and volunteer colleagues understand how they should respond to child protection concerns and how to make a referral to CSCS or the police, if necessary.

All national governing bodies of sport that receive funding from either Sport England or UK Sport must aim to meet the Standards for Safeguarding and Protecting Children in Sport.

### **29. Alternative provision**

The INSTITUTE will remain responsible for a young person's welfare during their time at an alternative provider. When placing a young person with an alternative provider, the INSTITUTE will obtain written confirmation that the provider has conducted all relevant safeguarding checks on colleagues.

### **30. Work experience**

When a young person is sent on work experience, the INSTITUTE will ensure that the provider has appropriate safeguarding policies and procedures in place. Where the

INSTITUTE has young persons conduct work experience at the INSTITUTE, an enhanced DBS check will be obtained if the young person is over the age of 16.

### **31.Homestay exchange visits**

#### **INSTITUTE-arranged homestays in UK**

Where the INSTITUTE is arranging for a visiting child to be provided with care and accommodation in the UK in the home of a family to which the child is not related, the responsible adults are considered to be in regulated activity for the period of the stay. In such cases, the INSTITUTE is the regulated activity provider; therefore, the INSTITUTE will obtain all the necessary information required, including a DBS enhanced certificate with barred list information, to inform its assessment of the suitability of the responsible adults.

Where criminal record information is disclosed, the INSTITUTE will consider, alongside all other information, whether the adult is a suitable host. In addition to the responsible adults, the INSTITUTE will consider whether a DBS enhanced certificate should be obtained for anyone else aged over 16 in the household.

#### **INSTITUTE-arranged homestays abroad**

The INSTITUTE will liaise with partner INSTITUTES to discuss and agree the arrangements in place for the visit. The INSTITUTE will consider, on a case-by-case basis, whether to contact the relevant foreign embassy or High Commission of the country in question to ascertain what checks may be possible in respect of those providing homestay outside of the UK. The INSTITUTE will use its professional judgement to assess whether the arrangements are appropriate and sufficient to safeguard every child involved in the exchange. Young persons will be provided with emergency contact details to use where an emergency occurs or a situation arises that makes them feel uncomfortable.

#### **Privately arranged homestays**

Where a parent or young person arranges their own homestay, this is a private arrangement and the INSTITUTE is not the regulated activity provider.

#### **Private fostering**

Where a period of UK homestay lasts 28 days or more for a child aged under 16, or under 18 for a child with SEND, this may amount to private fostering under the Children Act 1989. Where the INSTITUTE becomes aware of a young person being privately fostered, they will notify the LA as soon as possible to allow the LA to conduct any necessary checks.

### **32.Concerns about young people**

If a member of colleagues has any concern about a young person's welfare, they will act on them immediately by speaking to the DSL or deputy DSL(s). All colleagues members are aware of the procedure for reporting concerns and understand their responsibilities in relation to confidentiality and information sharing, as outlined in the [communication and confidentiality](#) section of this policy.

Where the DSL is not available to discuss the concern with, colleagues members will contact the deputy DSL(s) with the matter. If a referral is made about a young person by anyone other than the DSL, the DSL will be informed as soon as possible.

The LA will make a decision regarding what action is required within one working day of the referral being made and will notify the referrer. Colleagues are required to monitor a referral if they do not receive information from the LA regarding what action is necessary for the young person. If the situation does not improve after a referral, the DSL will ask for reconsideration to ensure that their concerns have been addressed and that the situation improves for the young person.

If early help is appropriate, the case will be kept under constant review. If the young person's situation does not improve, a referral will be considered. All concerns, discussions and decisions made, as well as the reasons for making those decisions, will be recorded in writing by the DSL and kept securely on our secure systems.

If a young person is in immediate danger, a referral will be made to CSCS and/or the police immediately. If a young person has committed a crime, such as sexual violence, the police will be notified without delay.

Where there are safeguarding concerns, the INSTITUTE will ensure that the young person's wishes are always taken into account, and that there are systems available for young persons to provide feedback and express their views. When responding to safeguarding concerns, colleagues members will act calmly and supportively, ensuring that the young person feels like they are being listened to and believed.

An inter-agency assessment will be undertaken where a child and their family could benefit from coordinated support from more than one agency. These assessments will identify what help the child and family require in preventing needs escalating to a point where intervention would be needed.

### **33.Managing referrals**

The reporting and referral process outlined in [Institute appendix B](#) will be followed accordingly.

All colleagues members, in particular the DSL, will be aware of the LA's arrangements in place for managing referrals. The DSL will provide colleagues members with clarity and support where needed. When making a referral to CSCS or other external agencies, information will be shared in line with confidentiality requirements and will only be shared where necessary to do so.

The DSL will work alongside external agencies, maintaining continuous liaison, including multi-agency liaison where appropriate, in order to ensure the wellbeing of the young persons involved. The DSL will work closely with the police to ensure the INSTITUTE does not jeopardise any criminal proceedings, and to obtain help and support as necessary.

Where a young person has been harmed or is in immediate danger or at risk of harm, the referrer will be notified of the action that will be taken within one working day of a referral being made. Where this information is not forthcoming, the referrer will contact the assigned social worker for more information.

The INSTITUTE will not wait for the start or outcome of an investigation before protecting the victim and other young persons: this applies to criminal investigations as well as those made by CSCS. Where CSCS decide that a statutory investigation is not appropriate, the INSTITUTE will consider referring the incident again if it is believed that the young person is at risk of harm. Where CSCS decide that a statutory investigation is not appropriate and the INSTITUTE agrees with this decision, the INSTITUTE will consider the use of other support mechanisms, such as early help and pastoral support.

At all stages of the reporting and referral process, the young person will be informed of the decisions made, actions taken and reasons for doing so. Discussions of concerns with parents will only take place where this would not put the young person or others at potential risk of harm. The INSTITUTE will work closely with parents to ensure that the young person, as well as their family, understands the arrangements in place, such as in-INSTITUTE interventions, is effectively supported, and knows where they can access additional support.

### **34. Concerns about colleagues and safeguarding practices**

If a colleagues member has concerns about another member of colleagues (including supply colleagues and volunteers), it will be raised with the Principal. If the concern is with regards to the Principal, it will be referred to the chair of governors.

Any concerns regarding the safeguarding practices at the INSTITUTE will be raised with the SLT, and the necessary whistleblowing procedures will be followed, as outlined in the Whistleblowing Policy. If a colleagues member feels unable to raise an issue with the SLT, they should access other whistleblowing channels such as the NSPCC whistleblowing helpline (0800 028 0285).

### **35. Allegations of abuse against colleagues**

All allegations against colleagues, supply colleagues, volunteers and contractors will be managed in line with the INSTITUTE's Allegations of Abuse Against Colleagues Policy – a copy of which will be provided to, and understood by, all colleagues. The INSTITUTE will ensure all allegations against colleagues, including those who are not employees of the INSTITUTE, are dealt with appropriately and that the INSTITUTE liaises with the relevant parties.

When managing allegations against colleagues, the INSTITUTE will recognise the distinction between allegations that meet the harms threshold and allegations that do not, also known as "low-level concerns", as defined in the Allegations of Abuse Against Colleagues Policy. Allegations that meet the harms threshold include instances where colleagues have:

- Behaved in a way that has harmed a child, or may have harmed a child.
- Committed or possibly committed a criminal offence against or related to a child.
- Behaved towards a child in a way that indicates they may pose a risk of harm to children.
- Behaved, or may have behaved, in a way that indicates they may not be suitable to work with children.
- Learning from all allegations against staff investigations should be incorporated by MTL, not just from those that are concluded and substantiated.

Low level concerns are reported to the Directors.

## Communication and confidentiality

All child protection and safeguarding concerns will be treated in the strictest of confidence in accordance with INSTITUTE data protection policies.

Where there is an allegation or incident of sexual abuse or sexual violence, the victim is entitled to anonymity by law; therefore, the INSTITUTE will consult its policy and agree on what information will be disclosed to colleagues and others, in particular the alleged perpetrator and their parents. Where a report of sexual violence or sexual harassment is progressing through the criminal justice system, the INSTITUTE will do all it can to protect the anonymity of the young persons involved in the case.

Concerns will only be reported to those necessary for its progression and reports will only be shared amongst colleagues members and with external agencies on a need-to-know basis. During the disclosure of a concern by a young person, colleagues members will not promise the young person confidentiality and will ensure that they are aware of what information will be shared, with whom and why.

Where it is in the public interest, and protects young persons from harm, information can be lawfully shared without the victim's consent, e.g. if doing so would assist the prevention, detection or prosecution of a serious crime. Before doing so, the DSL will weigh the victim's wishes against their duty to protect the victim and others. Where a referral is made against the victim's wishes, it is done so carefully with the reasons for the referral explained to the victim and specialist support offered.

Depending on the nature of a concern, the DSL will discuss the concern with the parents of the young persons involved. Discussions with parents will not take place where they could potentially put a young person at risk of harm. Discussion with the victim's parents will relate to the arrangements being put in place to safeguard the victim, with the aim of understanding their wishes in terms of support arrangements and the progression of the report. Discussion with the alleged perpetrator's parents will have regards to the arrangements that will impact their child, such as moving classes, with the reasons behind decisions being explained and the available support discussed. External agencies will be invited to these discussions where necessary.

Where confidentiality or anonymity has been breached, the INSTITUTE will implement the appropriate disciplinary procedures as necessary and will analyse how damage can be minimised and future breaches be prevented.

Where a young person is leaving the INSTITUTE, the DSL will consider whether it is appropriate to share any information with the young person's new provider, in addition to the child protection file, that will allow the new provider to support the young person and arrange appropriate support for their arrival.

### **36.Safer recruitment**

The INSTITUTE's full policy and procedures for safer recruitment are outlined in the Safer Recruitment Policy.

A curriculum vitae (CV) should only be accepted alongside a full application form. CVs on their own will not contain all the information required to support safer recruitment. An

enhanced DBS check with barred list information will be undertaken for all colleagues members engaged in regulated activity. A person will be considered to be in 'regulated activity' if, as a result of their work, they:

- Are responsible on a daily basis for the care or supervision of children.
- Regularly work in the INSTITUTE at times when children are on the premises.
- Regularly come into contact with children under 18 years of age.

The DfE's [DBS Workforce Guides](#) will be consulted when determining whether a position fits the child workforce criteria.

The governing board will conduct the appropriate pre-employment checks for all prospective employees, including internal candidates and candidates who have lived or worked outside the UK. This can include on-line searches.

The appropriate DBS and suitability checks will be carried out for all governors, volunteers, and contractors.

### **Colleagues suitability**

All centres providing care for young persons under the age of eight must ensure that colleagues and volunteers working in these settings are not disqualified from doing so under the Childcare (Disqualification) and Childcare (Early Years Centre Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018. A person may be disqualified if they:

- Have certain orders or other restrictions placed upon them.
- Have committed certain offences.

All colleagues members are required to sign the [declaration form](#) provided in the appendices of this policy confirming that they are not disqualified from working in an education environment. A disqualified person will not be permitted to continue working at the INSTITUTE, unless they apply for and are granted a waiver from Ofsted. The INSTITUTE will provide support with this process.

### **Ongoing suitability**

Following appointment, consideration will be given to colleagues and volunteers' ongoing suitability – to prevent the opportunity for harm to children or placing children at risk.

### **Referral to the DBS**

The INSTITUTE will refer to the DBS anyone who has harmed a child or poses a risk of harm to a child, or if there is reason to believe the member of colleagues has committed an offence and has been removed from working in regulated activity. The duty will also apply in circumstances where an individual is deployed to another area of work that is not in regulated activity or they are suspended.

### **37. Single central record (SCR)**

The INSTITUTE keeps an SCR which records all colleagues, including agency and third-party supply colleagues, and teacher trainees on salaried routes, who work at the INSTITUTE.

All members of the proprietor body are also recorded on the SCR.

The following information is recorded on the SCR:

- An identity check
- A barred list check
- An enhanced DBS check
- A prohibition from teaching check
- A check of professional qualifications, where required
- A check to determine the individual's right to work in the UK
- Additional checks for those who have lived or worked outside of the UK

For agency and third-party supply colleagues, the INSTITUTE will also record whether written confirmation from the employment business supplying the member of colleagues has been received which indicates that all the necessary checks have been conducted and the date that confirmation was received.

If any checks have been conducted for volunteers, this will also be recorded on the SCR. If risk assessments are conducted to assess whether a volunteer should be subject to an enhanced DBS check, the risk assessment will be recorded.

Written confirmation that supply agencies have completed all relevant checks will also be included.

The INSTITUTE is free to record any other information it deems relevant.

The details of an individual will be removed from the SCR once they no longer work at the INSTITUTE.

### **38.Training**

Colleagues members will undergo safeguarding and child protection training at induction, which will be updated on a **termly** basis and/or whenever there is a change in legislation.

The induction training will cover:

- The Child Protection and Safeguarding Policy.
- The Abuse Policy and procedures.
- The Colleagues Code of Conduct.
- Part one of 'Keeping children safe in education' (KCSIE) (or Annex A, if appropriate).
- The Behavioural Policy.
- appropriate child protection and safeguarding training, including online safety training.
- Information about the role and identity of the DSL and deputy DSL(s).

All colleagues members will also receive regular safeguarding and child protection updates as required, but at least annually. Training will cover, at a minimum:

- The issues surrounding sexual violence and sexual harassment.
- Contextual safeguarding.
- How to keep LAC and PLAC safe.
- CCE and the need to refer cases to the National Referral Mechanism.



- Updated online safety training.

Colleagues will receive opportunities to contribute towards and inform the safeguarding arrangements in the INSTITUTE.

The DSL and deputy DSL(s) will undergo child protection and safeguarding training (along with the Director), and update this training at least every two years. The DSL and deputy DSL(s) will also obtain access to resources and attend any relevant or refresher training courses, ensuring they keep up-to-date with any developments relevant to their role. This will include training to understand:

- The assessment process for providing early help and statutory intervention, including local criteria for action and CSCS referral arrangements.
- How LAs conduct child protection case conferences and a child protection review conferences, to enable the DSL to attend and contribute to these effectively when required.
- The importance of providing information and support to CSCS.
- The lasting impact that adversity and trauma can have.
- How to be alert to the specific needs of children in need, young persons with SEND and/or relevant health conditions, and young carers.
- The importance of internal and external information sharing.
- The Prevent duty.
- By-stander qualification
- The risks associated with online safety, including the additional risks faced online by young persons with SEND.

### **39. Monitoring and review**

This policy is reviewed at least annually by the DSL and the Principal. This policy will be updated as needed to ensure it is up-to-date with safeguarding issues as they emerge and evolve, including any lessons learnt.

Any changes made to this policy will be communicated to all members of colleagues. All members of colleagues are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme. The next scheduled review date for this policy is August 2023.

## **40. Human Rights Act**

The Human Rights Act 1998 (HRA) sets out the fundamental rights and freedoms that everyone in the UK is entitled to and contains the Articles and protocols of the European Convention on Human Rights (ECHR) (the Convention) that are deemed to apply in the UK. It compels public organisations to respect and protect an individual's human rights when they make individual decisions about them.

Under the HRA, it is unlawful for INSTITUTES to act in a way that is incompatible with the Convention. The specific Convention rights applying to INSTITUTES are:

- Article 3: the right to freedom from inhuman and degrading treatment (an absolute right)

- Article 8: the right to respect for private and family life (a qualified right) includes a duty to protect individuals' physical and psychological integrity
- Article 14: requires that all of the rights and freedoms set out in the Act must be protected and applied without discrimination,<sup>25</sup> and
- Protocol 1, Article 2: protects the right to education.

Being subjected to harassment, violence and or abuse, including that of a sexual nature, may breach any or all of these rights, depending on the nature of the conduct and the circumstances.

## **41. Public Sector Equality Duty**

The Public Sector Equality Duty (PSED) is found in the Equality Act. Compliance with the PSED is a legal requirement for INSTITUTES, advice on this – including on specific duties, is set out in this advice.

The PSED places a general duty on Centres and colleges to have, in the exercise of their functions, due regard to the need to eliminate unlawful discrimination, harassment and victimisation (and any other conduct prohibited under the Equality Act), to advance equality of opportunity and foster good relations between those who share a relevant protected characteristic and those who do not. The duty applies to all protected characteristics and means that whenever significant decisions are being made or policies developed, specific consideration must be given to the equality implications of these such as, for example, the need to eliminate unlawful behaviours that relate to them, such as sexual violence and sexual harassment, misogyny/misandry and racism. This is one reason why good record-keeping and monitoring of all forms of abuse and harassment is essential.

93. The PSED helps INSTITUTES (which are subject to it) to focus on key issues of concern and how to improve pupil and student outcomes. Some pupils or students may be more at risk of harm from specific issues such as sexual violence, homophobic, biphobic or transphobic bullying or racial discrimination. Such concerns will differ between education settings, but it is important Centres and colleges are conscious of disproportionate vulnerabilities and integrate this into their safeguarding policies and procedures.

### **i. 42. Preventative Education**

MTL understands the crucial part education settings play in preventative education within the context of a whole-INSTITUTE approach that creates a culture that does not tolerate any form of prejudice or discrimination, including sexism and misogyny/misandry. It is the expectation of MTL values and standards in this area will be underpinned by our behaviour policy, pastoral support system, as well as a planned programme of evidence-based RSHE.

## Colleagues Disqualification Declaration

Name of INSTITUTE:	
Name of colleagues member:	Position:

Orders and other restrictions	Yes/No
Have any orders or other determinations related to childcare been made in respect of you?	
Have any orders or other determinations related to childcare been made in respect of a child in your care?	
Have any orders or other determinations been made which prevent you from being registered in relation to childcare, children's homes or fostering?	
Are there any other relevant orders, restrictions or prohibitions in respect of you as set out in Schedule 1 of the Childcare (Disqualification) and Childcare (Early Years Centre Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018?	
Are you barred from working with children by the DBS?	
Are you prohibited from teaching?	

### Specified and statutory offences

Have you ever been cautioned, reprimanded, given a warning for or convicted of:	
<ul style="list-style-type: none"> <li>Any offence against or involving a child?</li> </ul>	
<ul style="list-style-type: none"> <li>Any violent or sexual offence against an adult?</li> </ul>	
<ul style="list-style-type: none"> <li>Any offence under The Sexual Offences Act 2003?</li> </ul>	
<ul style="list-style-type: none"> <li>Any other relevant offence?</li> </ul>	
Have you ever been cautioned, reprimanded for or convicted of a similar offence in another country?	

### Centre of information

If you have answered yes to any of the questions above, provide details below. You may provide this information separately, but you must do so without delay.

Details of the order restriction, conviction or caution:

The date(s) of the above:	
The relevant court(s) or body/bodies:	

**You should also provide a copy of the relevant order, caution, conviction, etc. In relation to cautions and/or convictions, a DBS certificate may be provided.**

### Declaration

In signing this form, I confirm that the information provided is true to the best of my knowledge and that:

- I understand my responsibilities to safeguard children.
- I understand that I must notify the Principal immediately of anything that affects my suitability to work within the INSTITUTE. This includes any cautions, warnings, convictions, orders or other determinations

made in respect of me that would render me disqualified from working with children.

Signed:

Print name:

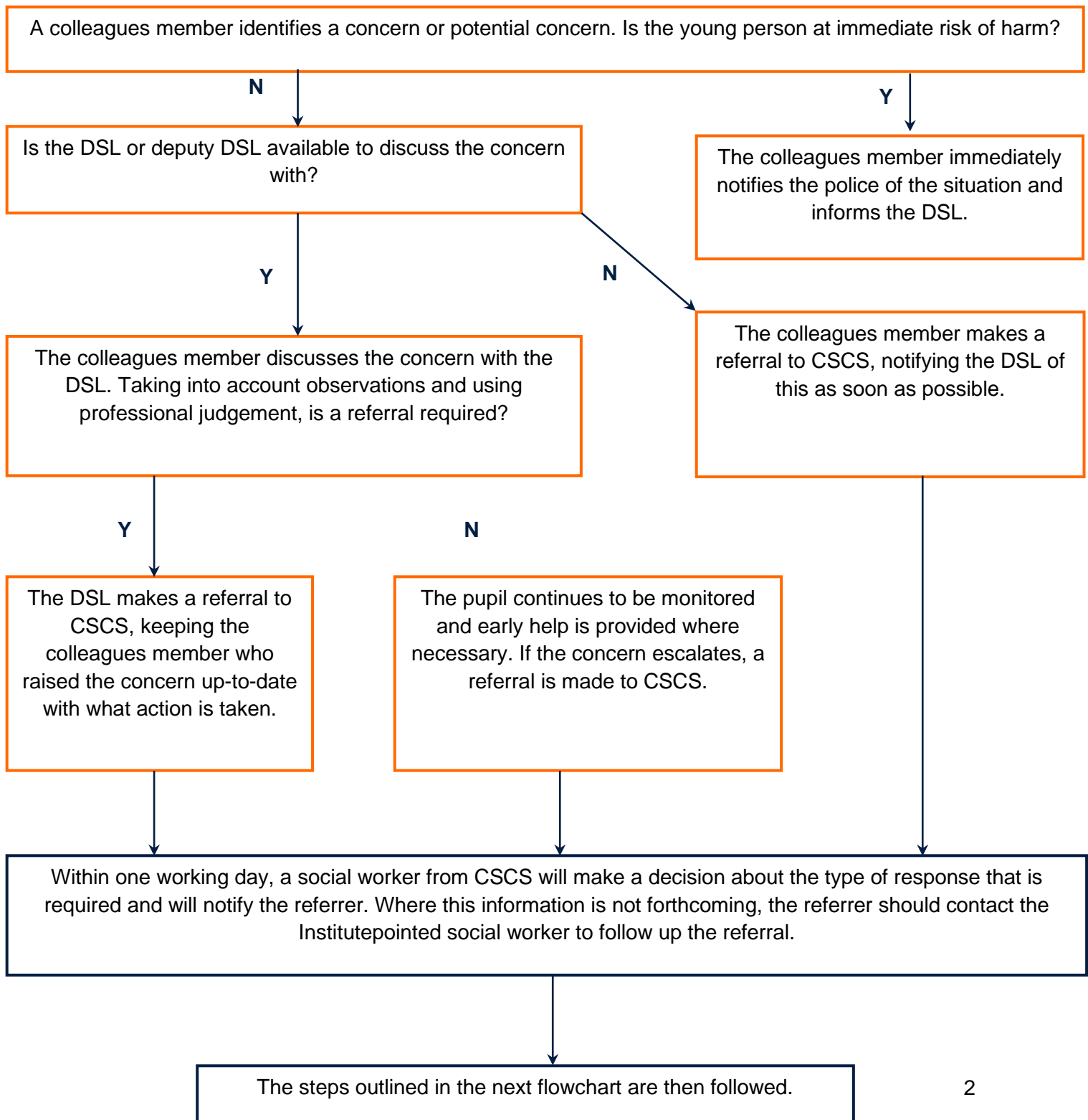
Date:

# Safeguarding Reporting Process

The process outlined within the first section should be followed where a colleagues member has a safeguarding concern about a child. Where a referral has been made, the process outlined in the 'After a referral is made' section should be followed.

The actions taken by the INSTITUTE are outlined in yellow, whereas actions taken by another agency are outlined in blue.

## Before a referral is made



## After a referral is made

Once a referral has been made, a social worker from CSCS will notify the referrer that a decision has been made and one of the following responses will be actioned.

The pupil is in need of immediate protection.

Where the pupil is at risk of significant harm but is not in immediate danger, a strategy discussion is held.

No formal assessment is needed.

Where appropriate to do so, the DSL and colleagues member who raised the concern may be consulted during these stages to ensure that all areas of concern are addressed.

The DSL supports the initial colleagues member to liaise with other agencies to arrange an early help assessment and appropriate support.

appropriate emergency action is taken by the social worker, police or NSPCC.

A Child in Need assessment is completed within 45 working days.

Within 15 working days of the strategy discussion, an initial child protection conference is held.

A child protection plan is potentially required.

The type of support needed is identified, arranged through multi-agency liaison and provided effectively.

Colleagues keep the pupil's circumstances under review and re-REFER if appropriate to ensure circumstances improve – the pupil's best interests always come first.

If the child's situation does not appear to be improving, the DSL should press for re-consideration to ensure their concerns have been addressed and, most importantly, that the child's situation improves.